



August 17, 2006

**HARMAN STATEMENT ON FEDERAL COURT DECISION RULING NSA
WIRETAP PROGRAM UNCONSTITUTIONAL**

WASHINGTON D.C. -- Rep. Jane Harman (D-Venice), Ranking Member on the House Intelligence Committee, today released the following statement on the U.S. District Court decision that ruled the National Security Agency wiretapping program unconstitutional:

“Today, a federal court in Detroit struck down as unconstitutional the President’s NSA Program. The decision is significant in that it represents the first judicial determination that the President’s program violates the law and the Constitution.

The terrorists who are plotting against us would like nothing more than to see us erode our Constitution. We cannot hand them the victory they seek. For that reason, it is essential that all electronic surveillance of Americans comply with the Foreign Intelligence Surveillance Act and the Constitution.

By failing to create a legislative framework for this program, the Administration and Congress have punted this matter to the courts. Nobody should be surprised that the ensuing litigation has created inconsistent results in different courts and will only contribute to the “fog of law” that has surrounded this program.

A far better approach would be to enact THE LISTEN ACT, which requires that all electronic surveillance of Americans be conducted under the Foreign Intelligence Surveillance Act or the criminal code.”